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Attorney's Docket No. 35718/242052(5718-158)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Duvick et al.  
Appl No.: 10/047,825  
Filed: January 16, 2002  
For: MAIZE PEROXIDASE GENES AND THEIR USE FOR IMPROVING  
PLANT DISEASE RESISTANCE AND STALK STRENGTH

Confirmation No.: 5366

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

RESPONSE TO NOTICE TO  
FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of Application dated March 15, 2002, enclosed are the following:

- ☒ Part 2 of Formalities Letter or Form PTO-1533  
(Notice to File Missing Parts of Application)
- ☒ Declaration and Power of Attorney for the above-identified application which has been executed by the named inventor(s)
- ☐ Applicant claims small entity status
- ☒ Check in the amount of \$130 to cover the surcharge under 37 C.F.R. § 1.16(e)
- ☐ English Translation and \$130.00 (37 CFR 1.17(k)) fee for filing late.
- ☐ Other:

Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

*Kathryn L. Coulter*

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to **Box Missing Parts**, Commissioner for Patents, Washington, DC 20231, on May 15, 2002.

*Nora C. Martinez*  
Nora C. Martinez



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/047,825	01/16/2002	Jon P. Duvick	35718/242052(5718-158)

CONFIRMATION NO. 5366

00826  
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FORMALITIES LETTER



\*OC000000007646078\*

Date Mailed: 03/15/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

*Y. G.*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/06/2002 JBALINAN 00000005 10047825

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